

61



Corres. and Mail
BOX AF

Atty. Docket No. 2679 (203-2843)

AF
3731

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Jonathan Martinek

EXAMINER: Gary Jackson

SERIAL NO.: 10/033,951

GROUP: 3731

FILED: December 22, 2001

DATED: June 4, 2004

FOR: SUTURE SCREW

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: AF

AMENDMENT TRANSMITTAL FORM

Sir:

RECEIVED
JUN 09 2004
TECHNOLOGY CENTER R3700

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. "1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity under 37 C.F.R. "1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.

For	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate (Small Entity)	Addit. Fee	Rate	Addit. Fee
TOTAL CLAIMS*	5	20	0	x 9 =	\$0	x 18 =	\$0
INDEPENDENT CLAIMS	2	3	0	X 42 =	\$0	x 84 =	\$0
<input type="checkbox"/> First Presentation of Multiple Dep. Claim				130		+ 260	\$0

* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop: Non-Fee Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 4, 2004.

Dated: June 4, 2004

Russell R. Kassner
Russell R. Kassner

- [] Please charge Deposit Account No. 50-2140 in the amount of \$____. Two (2) copies of this sheet are enclosed.
- [] A check in the amount of \$ _____ is enclosed.
- [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. "1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-2140. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-2140 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Russell R. Kassner

Reg. No. 36,183

Attorney for Applicant(s)

CARTER, DELUCA, FARRELL & SCHMIDT, LLP

445 Broad Hollow Road

Suite 225

Melville, N.Y. 11747

(631) 501-5700

Correspondence Address:

Chief Patent Counsel

United States Surgical, A

Division of Tyco Healthcare Group LP

150 Glover Avenue

Norwalk, CT 06856

RRK/sf

Appl. No. 10/033,951
Amdt. Dated: June 4, 2004
Reply to Final Office Action of March 4, 2004



**RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3731**

Atty. Docket No: 2679 (203-2843)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Jonathan Martinek

EXAMINER: Gary Jackson

SERIAL NO.: 10/033,951

GROUP: 3731

FILED: December 22, 2001

DATED: June 4, 2004

FOR: **SUTURE SCREW**

Mail Stop: AF

Honorable Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RECEIVED
JUN 09 2004
TECHNOLOGY CENTER

AMENDMENT UNDER 37 CFR §1.116

Sir:

In response to the Final Office Action of the United States Patent and Trademark Office mailed March 4, 2004, please amend the above identified application as follows:

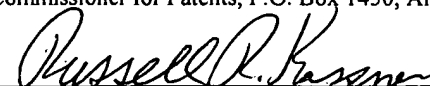
Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: **Mail Stop: AF**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 4, 2004.

Dated: June 4, 2004


Russell R. Kassner